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Paper No. 8

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OFFICE OF PETITIONS

In re Application of
Hubbell, et al.
Application No. 09/910,663
Filed: July 19, 2001
Attorney Docket No. 266/013

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: DECISION DISMISSING
: PETITION
:
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This is a decision on the petition filed February 26, 2002 (certificate of mailing date February 13, 2002), requesting in effect that a "Notice to File Corrected Application Papers," mailed December 13, 2001, in the above-identified application be withdrawn in part.

The application was filed on July 19, 2001. However, on January 28, 2001, the Office of Initial Patent Examination mailed a Notice stating that the application had been accorded a filing date of July 19, 2001, and advising applicants that Figures 8b, 8d, 8e, 8f, 16b, and 18b described in the specification appeared to be missing.

In response, the present petition was filed. The petition argues that Figure 8 was incorrectly referred to as "Figures 8A-F" in the specification and that Figure 16a and Figure 18A were incorrectly labeled "Figure 2b" and "Figure 4b." Petitioners have submitted corrected formal drawings and a preliminary amendment requesting, *inter alia*, that references to "Figures 8A-F" in the specification be altered to read "Figure 8"

A review of the drawings filed on July 19, 2001, confirms that they included all intended figures, albeit some with incorrect labels.

It appears from the petition that no drawing was actually missing on July 19, 2001, and that applicants do not wish to file any additional sheets of drawings. Instead, the references to Figures 8A-F in the specification are typographical errors and Figure 16a and Figure 18A were incorrectly labeled "Figure 2b" and "Figure 4b."

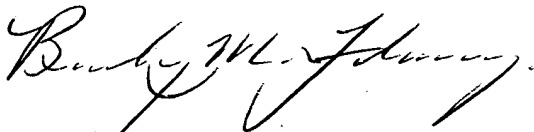
Therefore, the application will be processed and examined using the substitute sheets of drawings filed on with the instant petition.

However, the "Notice" mailed December 13, 2001, was correct in advising applicants that the drawings of Figures 8A-F, 16b, and 18b appeared to have been omitted. Therefore, the "Notice" was properly mailed and will not be withdrawn in part.

The petition is dismissed.

The application is being returned the Office of Initial Patent Examination with the presently accorded filing date of July 19, 2001, for further processing, using the 22 sheets of formal drawings submitted with the instant petition.

Telephone inquiries concerning this decision should be directed to Petitions Attorney E. Shirene Willis at (703) 308-6712.



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for Patent Examination Policy